

Town Board Minutes

May 19, 2014

Meeting No. 15

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19th day of May 2014 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
TERRENCE MCCracken, GENERAL CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

AT 7:58 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER AQUINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a contractual matter.

At 8:28 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Marketing of property on Columbia Avenue.
- Cost of change over of equipment on police vehicles.
- Cost of bullet proof vests.

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Total cost for a new police vehicle.
- Number of houses in the Town and number of building permits for roofs.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Autumnwood Subdivision at Bowen Road.
- Windsor Ridge South Subdivision Phase I, Part II.
- Cost of 2014 Ford XLT Explorer versus cost of 2015 Ford XLT Explorer.
- Refinance of balloon payment for Twin District Volunteer Fire Department.

Kazmierczak, Tom, spoke to the Town Board on the following matter:

- Amendment of Chapter 49 “Yard Sales” of the Code of the Town of Lancaster.

Symer, Donald, spoke to the Town Board on the following matters:

- Legal interpretation of Stopping & Standing terminology.
- Building permits for re-roofs.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board
and the Planning Board held May 5, 2014 and the Regular Meeting of the Town Board held
May 5, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 35458 to Claim No. 35661 Inclusive

Total amount hereby authorized to be paid: \$888,007.34

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
22610		Evelena P. Ontiveros	239 Pleasant View Dr	Er. Fence	
22611		Majestic Pools Inc.	20 Sterling Pl	Er. Pool-In Grnd	
22612		Michael & Cynthia Reeb	217 Nathan's Trl	Er. Pool-Abv Grnd	
22613		Jeffrey Loga	43 Pavement Rd	Er. Shed	
22614		Roger L. Russ	50 Park Blvd	Re-Roof	(V/L)
22615		Amy Michalek	9 Parkdale Dr	Er. Fence	
22616		Christopher J. Gates	2 Devonshire Ln	Re-Roof	
22617		Timothy & Karlyn Finucane	6357 Genesee St	Dem. Bldg	
22618		Matthew & Antonio Contracting	27 Traceway	Re-Roof	
22619		Matthew & Antonio Contracting	24 Traceway	Re-Roof	
22620		Chester Czubinski	213 Warner Rd	Er. Deck	
22621		Lucas & Rachel James	103 Sawyer Ave	Er. Res. Apartment	(V/L)
22622		United Home Improvement Co.	5137 William St	Re-Roof	
22623		Dale & Mary Jo Anne Roselle	12 Bridgewater Ct	Er. Res. Alt.	
22624		Dale & Mary Jo Anne Roselle	12 Bridgewater Ct	Re-Roof	
22625		Melissa Severyn	741 Schwartz Rd	Er. Res. Alt.	
22626		Larry & Janet Rohloff	5685 Broadway	Re-Roof	
22627		Aerial Roofing & Exterior Inc.	13 Farmview Ct	Re-Roof	
22628		Picket Fence & Exteriors Inc.	42 Wainwright Ct	Er. Fence	
22629		WDS Renovations Inc.	115 Norris Ave	Re-Roof	(V/L)
22630		The Vinyl Outlet Inc.	5 Quail Hollow	Er. Fence	
22631		Michael R. Eddy	21 Michael Anthony Ln	Er. Pool-Abv Grnd	
22632		Daniel J Steixner	63 Chestnut Corner	Er. Pool-Abv Grnd	
22633		Norman S Peters	10 Highland Pl	Er. Deck	(V/L)
22634		Robert & Nicole Klaczyk	29 Michael's Walk	Re-Roof	
22635		Richard Skrabski	228 Broezel Ave	Er. Pool-Abv Grnd	
22636		Lovejoy Builders Inc.	6 Joseph Dr	Er. Dwlg.-Sin.	
22637		Todd R Strange	8 Prairie Ln	Er. Shed	
22638		Schuster Construction LLC	11 Signal Dr	Re-Roof	
22639		David Raymond	11 Glendale Dr	Re-Roof	
22640		Michael & Karen Del Valle	137 Nathan's Trl	Er. Res. Alt.	
22641		Stephen Urbanski	428 Lake Ave	Er. Fence	
22642		The Kaz Company	934 Townline Rd	Re-Roof	
22643		The Kaz Company	6 Village View	Re-Roof	
22644		PJK Roofing Inc.	26 Pleasant Ave	Re-Roof	(V/L)
22645		Marrano/Marc Equity	34 Newberry Ln	Er. Dwlg.-Sin.	
22646		Marrano/Marc Equity Corp.	1 Cumberland St	Er. Townhouses	
22647		Marrano/Marc Equity Corp.	3 Cumberland St	Er. Townhouses	
22648		Marrano/Marc Equity Corp.	9 Cumberland St	Er. Townhouses	
22649		Marrano/Marc Equity Corp.	11 Cumberland St	Er. Townhouses	
22650		Bruce & Lucy Burger	149 Brunck Rd	Re-Roof	
22651		Jason Brotea	31 Grafton Ct	Er. Shed	
22652		Mark & Trisha Nowak	188 Erie St	Er. Comm. Add./Alt.	(V/L)
22653		Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	
22654		JDI Construction	32 St Marys St	Er. Res. Add.	(V/L)
22655		JDI Construction	32 St Marys St	Er. Res. Alt.	(V/L)
22656		John Emmons	10 Old Orchard Comm	Er. Res. Alt.	
22657		Brandon & Silvia Steele	6 Buckingham Ct	Er. Fence	
22658		David E Evans III	43 Hill Valley Dr	Er. Res. Alt.	
22659		Shirley Morrison	3738 Walden Ave	Er. Sign - Temp	
22660		Majestic Pools Inc.	2 Chestnut Corner	Er. Fence	
22661		Majestic Pools Inc.	2 Chestnut Corner	Er. Pool-In Grnd	
22662		Majestic Pools Inc.	4 Westbury Ln	Er. Pool-In Grnd	

22663	Bill Wirth Roofing & Siding	23 Stone Hedge Dr	Re-Roof	
22664	Alliance Construction of WNY	79 Middlebury Ln	Er. Dwlg.-Sin.	
22665	Beth A Gerstein	32 Norris Ave	Er. Deck	(V/L)
22666	Brandon & Silvia Steele	6 Buckingham Ct	Er. Pool-In Grnd	
22667	Jonathan Gajkowski	21 Veterans Dr	Re-Roof	(V/L)
22668	Christopher E. Koenig	34 Tranquility Trl	Er. Pool-Abv Grnd	
22669	Marc Beebe	14 Old Orchard Comm	Re-Roof	
22670	Marc Beebe	33 Katelyn Ln	Re-Roof	
22671	Seibold Construction Inc.	31 Bentley Cir	Re-Roof	
22672	Robert Garbacz	172 Cemetery Rd	Er. Pool-Abv Grnd	
22673	Jennifer Yunker	31 Sussex Ln	Er. Res. Alt.	
22674	John P Killian	23 Park Blvd	Er. Shed	(V/L)
22675	Lancaster Land LP	14 Prairie Ln	Er. Dwlg.-Sin.	
22676	Change-O-Siding Inc.	55 Simme Rd	Re-Roof	
22677	All Star Fence	41 Tranquility Trl	Er. Fence	
22678	Brian & Ann Fenik	5 Broadmoor Ct	Er. Deck	
22679	Michele Philomena Schultz	23 Tranquility Trl	Er. Fence	
22680	Karen Sinclair	42 Tranquility Trl	Er. Shed	
22681	Richard Harvey Jr.	274 Aurora St	Er. Shed	(V/L)
22683	David & Michele Wyse	33 Stone Hedge Dr	Re-Roof	
22684	Gary & Cathleen Beyer	3585 Bowen Rd	Re-Roof	
22685	Richard & Nadine Sears	24 Wilkshire Pl	Er. Res. Alt.	(V/L)
22686	Ivan & Shirley Soto	1 Pondview Ct	Er. Shed	
22687	Building Solutions	72 Second Ave	Re-Roof	(V/L)
22688	Danielle Bauchle	69 First Ave	Er. Fence	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on May 5, 2014, pursuant to Chapter 50-Zoning, Section 20 (B)(j) of the Code of the Town Lancaster, upon the application of **Drew Arlotta, Owner of Hygloss Kustomz**, for a Special Use Permit to conduct an automotive restoration business on premises located at 505 D Erie Street, in the Town of Lancaster, Erie County, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

NOW, THEREFORE, BE IT

RESOLVED, that to Chapter 50-Zoning, Section 20 (B)(j), entitled “Commercial Motor Service District (CMS)” of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Drew Arlotta, Owner of Hygloss Kustomz**, for the property locally known as 505 D Erie Street in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

- 1. No outside storage of vehicles, car parts, tires, containers or materials from the business.
- 2. No work to be done outside the building.
- 3. Must comply with Town Code Noise Ordinance.
- 4. All painting must be done in a Department of Environment & Conservation approved enclosure.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, K & K Development of Alden, LLC located at 1663
County Line Road, Alden, New York 14004 has heretofore applied for approval of a
forty-two (42) single family home development to be known as “Autumnwood Subdivision”
located on Bowen Road in the Town of Lancaster, and

WHEREAS, the Preliminary Plat was submitted to the Planning Board
and was approved at their April 3, 2013 meeting, and

WHEREAS, the Town Engineer has given his approval to the filing of
this Subdivision which is to include five (5) fire hydrants, and

WHEREAS, the Town, acting as lead agency has completed an
environmental review in conformance with SEQR (State Environmental Quality Review)
regulations on June 17, 2013 and a Negative Declaration was given, and

WHEREAS, the Town Board of the Town of Lancaster has duly
reviewed and considered the proposed subdivision;

**NOW, THEREFORE, BE IT
RESOLVED,** as follows:

1. That the Town Board of the Town of Lancaster hereby approves
the proposed forty-two (42) single family home development final plat as
prepared by Greenman-Pedersen, Inc., dated March 27, 2014 and filed with the
Town Clerk April 17, 2014 for said development to be known as the
“Autumnwood Subdivision" for filing in the Erie County Clerk's office.
2. That the Town Clerk be and is hereby directed to properly
endorse the approval of the Town Board of the Town of Lancaster on the linen
copy thereof.

The question of the adoption of the foregoing resolution was duly put to
a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board is considering the construction of a new 5000 square foot metal building with associated site improvements on a 1.5± acre parcel located at 110 Rotech Drive in the Town of Lancaster submitted by Elea Enterprises, LLC (c/o P.A.T. Construction), and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on May 5, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the construction of a 5000 square foot metal building with associated site improvements on a 1.5± acre parcel. Site improvements will include an asphalt paved parking lot with 8 parking spaces (including 1 HC accessible space), water service, a septic system, stormwater detention system and site landscaping. The total ground disturbance will be approximately 0.6± acres, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: May 19, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a 5000 square foot metal building with associated site improvements on a 1.5± acre parcel submitted by Elea Enterprises, LLC (c/o P.A.T. Construction). The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Elea Enterprises, LLC

Location of Action: 110 Rotech Drive, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: The construction of a of a 5000 square foot metal building with associated site improvements on a 1.5± acre parcel. Site improvements will include an asphalt paved parking lot with 8 parking spaces (including 1 HC accessible space), water service, a septic system, stormwater detention system and site landscaping. The total ground disturbance will be approximately 0.6± acres.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).

5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney Town of Lancaster
Address:	21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board is considering the construction of a 3,200 square foot addition on the west side of the existing **Jiffy-Tite** facility and a re-design of the existing parking lot located at 4437 Walden Avenue in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on May 5, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the building of a 3,200 square foot addition on the west side of the existing facility and redesign of existing parking lot on west side, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May19, 2014

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: May 19, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a two story residential apartment (5 units) and commercial storefront on a vacant one acre parcel which includes paved surface parking, utilities and landscape improvements. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Jiffy-Tite Building Addition

Location of Action: 4437 Walden Avenue, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: The construction of a 3,200 square foot addition on the west side of the existing facility and redesign of existing parking lot on west side.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.

6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney Town of Lancaster
Address:	21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Elea Enterprises, LLC (c/o P.A.T. Construction), has submitted a site plan prepared by Silvestri Architects, PC dated March 18, 2014, and received March 19, 2014 for the proposed construction of a 5,000 s.f. metal building with associated site improvements to be located at 110 Rotech Drive, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their April 2, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on May 5, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on May 19, 2014 a Negative Declaration was issued.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Elea Enterprises, LLC (c/o P.A.T. Construction), and prepared by Silvestri Architects, PC, dated March 18, 2014, and received March 19, 2014 for the proposed construction of a 5,000 s.f. metal building with associated site improvements to be located at 110 Rotech Drive in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows :

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the **Jiffy-Tite Company**, has submitted a site plan prepared by Apex Consulting Survey & Engineering Services, P.C., dated March 21, 2014 and received April 3, 2014 for the proposed construction of a 3,200 s.f. Building Addition with Site Improvements located at 4437 Walden Avenue, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their April 16, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on May 5, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on May 19, 2014 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Jiffy-Tite Company and prepared by Apex Consulting Survey & Engineering Services, P.C., dated March 21, 2014 and received April 3, 2014 for the proposed construction of a 3,200 s.f. Building Addition with Site Improvements located at 4437 Walden Avenue, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

NOW THEREFOR BE IT

RESOLVED, that the undersigned members of the Town Board of the Town of Lancaster, Erie County, New York upon reading the Appointment of Hearing executed by Dino J. Fudoli, Supervisor dated April 21, 2014; the Notice of Public Hearing published on April 24, 2014 in the Lancaster Bee; and the Report of Hearing Officer dated May 8, 2014, hereby approve the "Approval to Refinance" for the Twin District Volunteer Fire Company, Inc., attached hereto and further direct that the Lancaster Town Supervisor execute such "Approval to Refinance" on behalf of the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Richard J. Koch**, for a Special Use Permit for a Home Occupation (C.P.A. Office) on premises located at 60 Michael’s Walk, Lancaster, New York, and the Board issued such Special Use Permit on June 16, 2008, this Special Use Permit is subject to renewal upon application by the resident, and

WHEREAS, **Richard J. Koch** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated May 7, 2014

**NOW THEREFORE, BE IT
RESOLVED, as follows:**

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Richard J. Koch**, for a Home Occupation (C.P.A. Office) on premises located at 60 Michael’s Walk, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning June 16, 2014 and continuing through June 15, 2016, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely

- a. This Special Use Permit terminates when the applicant no longer resides on the premises.
- b. Permit must be renewed every two (2) years at no additional cost to applicant.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Surianello General Concrete Contractors, Inc., 635 Wyoming Avenue, Buffalo, New York 14215, the contractor for the 2013 Sidewalk Ramp Replacement Project, has submitted Change Order No. 1 in the amount of \$28,237.50 to the Town Board for their approval, based on the addendum descriptions of additional work to be performed provided to the Town Board, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to Surianello General Concrete Contractors, Inc., with respect to the descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for furnishing and installing an additional 100 square yards of sidewalk ramp work at the initially awarded unit price per square yard and provide restoration work not included in the original scope of work previously awarded.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$56,700.00
The Contract Sum will be increased by this Change Order in the amount of....	\$28,237.50
The new Contract Sum increased including this Change Order will be	\$84,937.50

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Windsor Ridge Partners, LLC, 501 John James Audubon Parkway, Amherst, New York 14228 has applied to the Town Board of the Town of Lancaster for permits for Public Improvements upon real property in the Town of Lancaster within Windsor Ridge South Subdivision Phase I, Part II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 728, 729, 730 and 731 of Windsor Ridge Partners, LLC, 501 John James Audubon Parkway, Amherst, New York 14228 which are permits for Public Improvements for the installation of:

P.I.P. No. 728 (Pavement & Curb)	Windsor Ridge South Subdivision, Phase I, Part II, Worthington Lane. Installation of 1,091 ± LF 28' Wide asphaltic conc. Pavement, Mirafi 140N Fabric, 12" sub-base No. 2 (NYSDOT 304.02), 4" Base Type 1 (NYSDOT 403.11), 2 ½ Dense Binder Type 3 (NYSDOT 403.13), 1 ½" Top Type 7F (NYSDOT 403.1901), 2,063± LF upright concrete curb w/6" underdrain and one temporary turnaround.
P.I.P. No. 729 (Detention Basin)	Windsor Ridge South Subdivision, Phase I, Part II, North of Worthington Lane, rear of sublots 126 thru 131. Installation of detention basin along with all erosion control devides depicted on sheets 77, 78 and 79 and as per detail sheet 80. Work to include relocation of 35,000± CY stock pile.
P.I.P. No.730 (Storm Sewer)	Windsor Ridge South Subdivision, Phase I, Part II, on Worthington Lane. Installation of approx.. 356± LF of 6" PVC, 689± LF of 8" PVC, 167± LF of 10" HDPE, 556± LF of 12" HDPE, 182± of 15" HDPE, 314± LF of 18" HDPE, 919± LF of 24" HDPE, manholes – 7 each, receivers – 6 each, LD rcvrs – 11 each, BY rcvrs – 18 each, sediment chamber – 1 each, outfall – 1 each.
P.I.P. No. 731 (Water Line)	Windsor Ridge South Subdivision, Phase I, Part II, on Worthington Lane. Installation of approx. 947± LF 10" PVC, hydrant assemblies – 1 each, 10" line valves – 1 each, sampling points, bends permanent blow-off assemblies and all other appurtenances for a complete installation.

be and are hereby authorized.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster agrees to commit to pay the Erie County Water Authority's annual fire hydrant maintenance fee for one (1) fire hydrant within Windsor Ridge South Subdivision, Phase I, Part II, once the hydrant is installed, tested, approved and placed in service.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 2nd day of June, 2014, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19th day of May, 2014, the said Town Board will hold a Public Hearing on the 2nd day of June, 2014 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(14) Heritage Hills Subdivision

(j) **At the western most portion of Greenmeadow Drive from the western most property line at #40 Greenmeadow Drive to the point where Greenmeadow Drive changes names and jurisdictions.**

and

ARTICLE X – Parking, Standing, and Stopping

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(14) Heritage Hills Subdivision

(j) **The south side of Greenmeadow Drive from the western most property line at #40 Greenmeadow Drive to the point where Greenmeadow Drive changes names and jurisdictions.**

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board previously duly advertised for bids for the purchase of One (1) new and unused **2014 Four Wheel Drive Ford XLT Explorer**, for the use by the Highway Department, and

WHEREAS, the bids were received, opened and reviewed on May 7, 2014, and

WHEREAS, by letter dated May 13, 2014 Highway Superintendent, Daniel Amatura has requested that the Town Board reject all bids, and

WHEREAS, the Town Board, after due review and consideration has determined to execute its right reserved in the bid documents, to reject all bids received for the purchase of One (1) new and unused 2014 Four Wheel Drive Ford XLT Explorer.

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby rejects all bids received for the purchase of One (1) new and unused **2014 Four Wheel Drive Ford XLT Explorer**, for the use by the Highway Department, pursuant to the rights reserved to the Town in the bid documents and directs the Clerk to so advise the bidders and return any bid bond posted in accordance with the bid specifications.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated May 13, 2014 has requested authorization to solicit bids for the purchase of One (1) new and unused **2015 Four Wheel Drive Ford XLT Explorer**, for the use by the Highway Department, and

WHEREAS, the Highway Department will be considering a trade-in allowance for a 2011 Ford F150 XLT Supercab, Short Bed Four Wheel Drive (Vin# 1FTFX1EFXBFA08079) to offset the cost, and

WHEREAS, the purchase will be paid for with funds available in the 2014 Highway Budget Line Item 13-5110-220 (Passenger Vehicles), and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York; and

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Bids be received in the Office the Town Clerk by June 10, 2014, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) new and unused 2015 Four Wheel Drive Ford XLT Explorer, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **10th day of June, 2014**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2015 Four Wheel Drive Ford XLT Explorer**, for the use by the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

May 22, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has reviewed the Yard Sale Ordinance of the Code of the Town of Lancaster and has determined it to be in the public interest to amend Chapter 49, “YARD SALES” of the Code of the Town of Lancaster by deleting §49-2 Application for permit, in its entirety and enacting in place thereof a new §49-2, Application for permit Section of Chapter 49, “YARD SALES” of the Code of the Town of Lancaster which shall read as follows:

CHAPTER 49 – YARD SALES

§49-2. Application for permit.

All parties desiring to hold a sale of personal property of any kind whatsoever where the public is invited onto a residential site shall obtain a permit from the Town Clerk’s office of the Town of Lancaster at least 10 days prior to the sale date(s).

And to delete §49-5. Posting of signs, in its entirety and enacting in place thereof a new §49-5, Posting of signs Section of Chapter 49, which shall read as follows:

§49-5. Posting of signs.

- A.** All signs posted advertising such a sale must be temporary in nature and must be removed immediately after the sale ends. Failure to remove signs in a timely fashion may be reason to deny a future permit.

- B.** Prior to the first day of the yard sale, the Lancaster Highway Department may post “NO PARKING” signs in the neighborhood. At the conclusion of each yard sale activity, the resident hosting the sale is to collect the “NO PARKING” signs and place them in their yard. The signs are not to be disposed of, instead call the Highway Department at 683-3426 informing them of the location of the signs. Town employees will pick up the signs on the first work day following resident notification.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York entitled Town Ordinances, a Public Hearing on a proposed amendment to the Town Ordinance entitled “YARD SALES,” designated as Chapter 49, Sections 49-2 Application for Permit and 49-5 Posting of signs, of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York on the 2nd day of June, 2014, at 7:15 o’clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

**LEGAL NOTICE
PUBLIC HEARING
ALARM SYSTEMS ORDINANCE
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to Section 130 of the Town Law of the State of New York entitled Town Ordinances, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted the 19th day of May, 2014, the Lancaster Town Board will hold a Public Hearing on the 2nd day of June, 2014 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested parties upon the following proposed amendment to the Ordinance entitled "YARD SALES" designated as Chapter 49, Sections 49-2 Application of Permit and 49-5 Posting of signs. of the Code of the Town of Lancaster briefly described as follows:

CHAPTER 49 – YARD SALES

§49-2. Application for permit.

All parties desiring to hold a sale of personal property of any kind whatsoever where the public is invited onto a residential site shall obtain a permit from the Town Clerk's office of the Town of Lancaster at least 10 days prior to the sale date(s).

§49-5. Posting of signs.

- A.** All signs posted advertising such a sale must be temporary in nature and must be removed immediately after the sale ends. Failure to remove signs in a timely fashion may be reason to deny a future permit.
- B.** Prior to the first day of the yard sale, the Lancaster Highway Department may post "NO PARKING" signs in the neighborhood. At the conclusion of each yard sale activity, the resident hosting the sale is to collect the "NO PARKING" signs and place them in their yard. The signs are not to be disposed of, instead call the Highway Department at 683-3426 informing them of the location of the signs. Town employees will pick up the signs on the first work day following resident notification.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

May 22, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated May 14, 2014, has requested the appointment of part-time temporary seasonal employees to work in the Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the following part-time temporary seasonal positions, for a period not to exceed five (5) months, in the Parks, Recreation and Forestry Department effective May 20, 2014, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
George Besch (rehire) Lancaster, NY	Recreation Attendant (Tennis Supervisor)	\$16.25
Gabrielle Cumbo (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Brandon Kryszak (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Ryan Londos (new hire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Chelsea Mang (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$9.40
Thao-Charline Nguyen (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Ashley Romance (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Casey Roth (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Emily Staebell (rehire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Catie Veiders (new hire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Nicholas Wojtkiewicz (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$8.00
Anthony Ambrose (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$10.50
Joseph Aquino (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$10.50

Katie Herdzik (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$10.50
Kristen Warner (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$10.00
Krista Blask (rehire) Depew, NY	Recreation Attendant (Playground Attendant)	\$8.00
Lauren Betzig (new hire) Depew, NY	Recreation Attendant (Playground Attendant)	\$8.00
Kayla Bicknell (new hire) Depew, NY	Recreation Attendant (Playground Attendant)	\$8.00
Emily Boughton (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Ryan Cook (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Michelle DelPrince (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Bailey Dembski (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Larissa Filipski (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Thomas Fortman (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Samantha Giardina (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Megan Gorenflo (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Margaret Herdzik (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Christopher Juergens (new hire) Depew, NY	Recreation Attendant (Playground Attendant)	\$8.00
Lauren Kotas (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Kelly Krnjaich (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Kelly Leonard (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Lucas Maciejewski (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Hanna Perillo (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Angela Sanita (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00

Alyson Sylvester (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Heather Teichmann (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Taylor Watson (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Alexander Wukovits (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$8.00
Paul Bartholomew (new hire) Depew, NY	Laborer	\$8.00
Quintin Gill (new hire) Lancaster, NY	Laborer	\$8.00
Matthew Marinaccio (new hire) Lancaster, NY	Laborer	\$8.00
Anthony Marrano (new hire) Lancaster	Laborer	\$8.00
Ethan Schwach (new hire) Lancaster, NY	Laborer	\$8.00
Emily Bassett (new hire) Depew, NY	Lifeguard (Substitute)	\$9.00
Corinne Glauber (new hire) Depew, NY	Lifeguard (Substitute)	\$9.00
Sean Gorenflo (new hire) Lancaster, NY	Lifeguard (Substitute)	\$9.00
Jesse Kucewicz (new hire) Lancaster, NY	Lifeguard (Substitute)	\$9.00
Jacob Loecher (new hire) Lancaster, NY	Lifeguard (Substitute)	\$9.00
Daniel Rudz (new hire) Lancaster, NY	Lifeguard (Substitute)	\$9.00
Erin Sullivan (new hire) Depew, NY	Lifeguard (Substitute)	\$9.00
Daniel Sutch (new hire) Lancaster, NY	Lifeguard (Substitute)	\$9.00

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated May 9, 2014, has recommended the appointment of one (1) individual to the position of Tutor part-time permanent at the Youth Bureau, working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of Tutor part-time permanent at the Youth Bureau, working not more than nineteen and three-quarter hours per week, retroactive to May 12, 2014, and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>
Heather Hyla (new hire) Lancaster, NY	\$15.00

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated May 14, 2014, has requested the appointment of Morgan Fay (formerly Morgan Miner) to the position of Payroll Supervisor in the Town of Lancaster Supervisor’s Office, and

WHEREAS, Morgan Fay is currently appointed to the position of Payroll Supervisor (Provisional) in the Town of Supervisor’s Office, and

WHEREAS, Morgan Fay qualifies for permanent appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE, BE IT

RESOLVED, (a) that Morgan Fay of Lancaster, New York, be and is hereby appointed at her current annual salary to the position of Payroll Supervisor in the Town of Lancaster Supervisor’s Office, effective May 20, 2013, (b) that this shall be a permanent appointment subject to an 8-week probationary period as prescribed by Civil Service Law, and (c) that this appointment shall be governed by the same terms and conditions as apply to other non-represented, full-time permanent Town employees; and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 19, 2014

COMMUNICATIONS & REPORTS

- 293. Supervisor to Jason Miller –
Response to request for four-way stop and reduced speed in the Broezel Avenue & Ronald Drive area. Disposition = Received & Filed**
- 294. Luke Malecki, Drescher & Malecki, LLP to Town Clerk –
Copy of Annual Update Document of the Town of Lancaster and requirement to publish a notice. Disposition = Received & Filed**
- 295. Town Clerk to Town Board –
Copy of third settlement payment for 2014 Monthly County Settlement.
Disposition = Received & Filed**
- 296. Joseph Brunet, Veterans of Foreign Wars Post 7275 to Town Officials –
Invitation to participate in Memorial Day Services and Parade on Monday, May 26, 2014. Disposition = Received & Filed**
- 297. Town Clerk to Town Board –
Clerk's monthly report for April 2014. Disposition = Received & Filed**
- 298. Supervisor to Erie County Executive –
Support to release additional money to help address road issues during the 2014 construction season. Disposition = Received & Filed**
- 299. Erie County Town Clerks and Tax Collectors Association to Town Clerk –
Proclamation recognizing the week of May 4 through May 10, 2014 as Municipal Clerk's Week and appreciation to Lancaster Town Clerk Johanna Coleman and all Municipal Clerks for the vital services they perform.
Disposition = Received & Filed**
- 300. General Crew Chief to Planning Board, Council Member Abraham, Council Member Ruffino, & Council Member Stempniak –
Recommend additional landscaping regarding the Amended Site Plan for Niagara Lutheran Health Systems Corporate Office Building, 5959 Broadway, Proj. #4163.
Disposition = Planning Committee**
- 301. Charles Giambone to Building & Zoning Inspector –
Request for renewal of Special Use Permit for Quad 4 Wheel Drive, Inc., 505 Erie Street. Disposition = For Resolution**
- 302. Town Clerk to Code Enforcement Officer –
Transmittal of request to renew Special Use Permit to operate an Automotive Repair Business at 505 Erie Street. Disposition = For Resolution**
- 303. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Richard Koch, 60 Michaels's Walk.
Disposition = Resolution 5/19/14**
- 304. NYS Dept. of Environmental Conservation to Town Clerk --
Brownfield Cleanup Program Public Notice = Received & Filed**
- 305. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer, and Town Clerk --
Notice of SEQR Meeting regarding Apple Rubber Bldg. Addition, 204 Cemetery Road (Proj. #2142), and Niagara Lutheran Health Systems Corp. Office Building, 5959 Broadway (Proj. #4163). Disposition = Planning Committee**
- 306. John Loffredo, Erie County Dept. of Public Works to Town Clerk –
Notice of re-opening of Schwartz Road between Hall Road and William Street on May 7, 2014. Disposition = Received & Filed**

307. Town Attorney to NYSDEC, ECDPW, Erie County Health Dept., Erie County Div. of Sewerage Management, NYSDOT and Erie County DEP --
Request for Designation of Lead Agency regarding 375 & 393 Harris Hill Road Project. Disposition = Planning Committee
308. Town Clerk to Various News Media --
Notice of SEQR Meeting regarding Apple Rubber Bldg. Addition, 204 Cemetery Road (Proj. #2142), and Niagara Lutheran Health Systems Corp. Office Building, 5959 Broadway (Proj. #4163). Disposition = Received & Filed
309. NYS Secretary of State to Local Government Municipalities --
Information regarding 2014 Consolidated Funding Application Environmental Protection Fund Local Waterfront Revitalization Program Grants.
Disposition = Received & Filed
310. Highway Superintendent to Town Board --
Recommend appointment of Gerald Carson to the position of Heavy Equipment Operator in the Town Highway Department effective May 19, 2014.
Disposition = Received & Filed
311. Commissioner Erie County Dept. of Environment & Planning to Supervisor --
Thanks for participating in Erie County Water Quality Committee and urge for continued commitment to ECWQC. Disposition = Town Engineer
312. Village of Lancaster to Town Board --
Minutes from regular meeting held on April 28, 2014.
Disposition = Received & Filed
313. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Division of Sewerage & Management, NYSDOT and Erie County DEP --
Request for Lead Agency Designation for Russell's Steak Chops & More, 6675 Transit Road. Disposition = Planning Committee
314. Highway Superintendent to Town Board --
Request for Town Board to reject bid for the 2014 Four Wheel Drive Ford XLT Explorer. Disposition = Resolution 5/19/14
315. Highway Superintendent to Town Board --
Request for Town Board to authorize publication of a bid for a new and unused 2015 Four Wheel Drive Ford XLT Explorer. Disposition = Resolution 5/19/14
316. NYS Dept. of Environmental Conservation to Town Attorney --
SEQR Lead Agency Designation and comments regarding 375 and 391 Harris Hill Road - rezone from R-1 to MFR-4 for construction of 175 apartment units and 10 single-family lots. Disposition = Planning Committee
317. General Crew Chief to Supervisor and Town Board --
Request for appointments of part-time temporary seasonal employees for the summer 2014 in the Parks, Recreation & Forestry Dept.
Disposition = Resolution 5/19/14
318. Executive Director Youth Bureau to Supervisor and Town Board --
Recommend to hire Heather Hyla as regular part-time tutor for Youth Bureau.
Disposition = Resolution 5/19/14
319. Supervisor to Town Board --
Request for permanent appointment of Morgan Fay (formerly Morgan Miner) to the position of Payroll Supervisor effective May 20, 2014.
Disposition = Resolution 5/19/14
320. Superintendent to Supervisor --
Appointment of John Pilato to the position of Laborer Grade #1 in the Town Highway Department effective May 19, 2014. Disposition = Received & Filed

- 321. General Crew Chief to Planning Board Chair, Planning Board Members, Council Member Abraham, Council Member Ruffino and Council Member Stempniak – Additions to landscape plan for Springhill Suites Site Plan, #1625.
Disposition = Planning Committee**
- 322. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 323. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector – Draft copy of minutes from May 7, 2014 Planning Board Meeting.
Disposition = Received & Filed**
- 324. Planning Board to Town Board –
Recommend approval of revised site plan review for Niagara Lutheran Health Systems Corp. Office Building at Greenfield, 5959 Broadway, Proj. #4163.
Disposition = For Resolution**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in
memory of Joseph Luigi Carlino at 8:28 P.M.

Signed_____
Johanna M. Coleman, Town Clerk